



Planning Progress

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Housing Discrimination Case Settles for \$850K

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A housing discrimination case scheduled for trial in October has reached a settlement. Stark County, Ohio Civil Rights Commission, U.S. Department of Justice, and six individual plaintiffs have reached an \$850,000 settlement against the former owners of four Jackson Township complexes. The settlement is believed to be the largest in Stark County's history for a housing discrimination case.

In 2008, the Fair Housing Department began investigating four complexes in Jackson Township after being contacted by an elderly African American male who felt he was being harassed because of the color of his skin. He felt that management was making bogus complaints of noise in an attempt to evict him. The Fair Housing Department's investigation resulted in additional complaints from other tenants and former managers. In an interview, a former manager alleged that he was instructed to make bogus noise complaints to force families with children and black tenants out after their leases expired. Other managers alleged that they were told to disregard phone messages from individuals who sounded black. Some tenants felt that they were not being treated fairly because they had children. During the investigation, witnesses alleged that the landlords had a policy of steering families with children to certain buildings or to basement apartments. The Fair Housing Department found that there was sufficient evidence of housing discrimination to file complaints with the Ohio Civil Rights Commission (OCRC) and the U.S. Department of Housing and Urban Development. The OCRC then conducted its own investigation and made a determination of probable cause of discrimination.

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In 2011, the plaintiffs filed a lawsuit alleging that the landlords discriminated on the basis of race and familial status at the four complexes including Yorkshire Apartments, Thackeray Ledges, Wales Ridge I and Wales Ridge II, all located in Jackson Township. The judge issued an order on March 31, 2014. He noted that ten former employees had testified that they were instructed to discriminate against African Americans and families with children. During deposition, a former manager testified that he was not allowed to show any apartments to African Americans. Another former employee testified that he was instructed to keep African American tenants at only 1/3 of the total occupancy. The court ruled that the testimonies from the former managers were proper evidence of a pattern or practice of unlawful discrimination by the defendants.

Without admitting liability or wrongdoing, the defendants agreed to settle just two months shy of a trial. Under the terms of the settlement, the defendants agreed to the following:

- Pay \$650,000 in damages and attorney's fees to the plaintiffs in the lawsuits filed by Stark County, the Ohio Civil Rights Commission, and six former residents and property managers;
- Pay \$175,000 in damages to 11 additional former residents and employees identified by the United States;
- Pay \$25,000 in a civil penalty to the United States;
- Hire an independent management company to manage their rental properties;
- Undergo fair housing training on an annual basis;
- Distribute a non-discrimination policy to residents and employees;
- Enter into a contract with a qualified third party to develop and implement a program to test for potential race and/or familial status discrimination;
- Provide reports on all rental activity on a quarterly basis;
- Develop a policy for receiving and addressing fair housing complaints made by tenants or employees;
- Post and prominently display the Fair Housing Poster.

The terms of the settlement shall be in effect for a period of three years. "This settlement should deter landlords who are thinking about discriminating from doing so. No one should be denied a place to live or treated differently because of their skin color or because they have children," said Valerie Watson, Fair Housing Coordinator.

The Federal Fair Housing Law makes it illegal to discriminate on the basis of race, color, sex, religion, national origin, familial status, and disability. The law also prohibits housing providers from making statements indicating a preference or limitation. In addition, it is illegal to engage in conduct that threatens or intimidates individuals in the exercise of their rights protected under the law.

SCRPC Awarded Brownfield Assessment Grant

The United States Environmental Protection Agency recently awarded SCRPC a Brownfield Assessment Coalition Grant in partnership with Alliance and Canton. This grant will allow SCRPC and its partners to create a comprehensive inventory of brownfield sites throughout Stark County and provide funds to carry out Phase I and II Environmental Assessments of some of the sites.

A brownfield is defined as a former industrial or commercial site where future use is affected by real or perceived environmental contamination. It doesn't necessarily mean there is contamination, just that there is a perception that there might be. Brownfield properties are inactive and/or tax delinquent, impeding economic growth and contributing to the perception of blight. Historic uses consist of gas stations, dry cleaners, and industrial/heavy manufacturing sites, all in varying sizes from under ½ acre to over 100 acres. Brownfields generally have infrastructure associated with them that makes redevelopment attractive. Good planning practice dictates that it is better to re-develop an area that has utilities, sewers and roads available, rather than expanding into undeveloped areas.

The types of environmental assessments that will be included are: Phase I Assessment, which researches previous uses of the site and whether a hazardous waste condition is likely to exist. No air, water, soil, building materials or site substances are tested or analyzed in a Phase I.

A Phase II Assessment includes a detailed investigation involving chemical analysis for hazardous substances and/or petroleum hydrocarbons. This may include a quantitative assessment, soil borings, water monitoring wells, testing of on-site substances, and testing of building materials.

Only when a brownfield property has been adequately assessed, can it be cleaned up, if the testing determines it is needed. Stark County political subdivisions have received a number of assessment and cleanup grants over recent years, mostly from the state. Some of the more well-known sites that have received cleanup funds are Hercules Engine, Onesto Hotel, Bison Corporation, Kresge Block and Stein Industrial Park, all in Canton. Republic Steel in Massillon and Stewart Brothers Paint Company in Alliance are also sites that have received cleanup funding.

In this round of USEPA funding, Stark Parks received a \$200,000 clean up grant for Molly Stark and NEFCO received an additional \$600,000 for brownfield assessment. NEFCO is currently wrapping up an assessment grant that they received for use in Summit County in 2012. The USEPA awarded 12 Ohio communities brownfield grants. Nationally 171 communities received 264 grants totaling \$67 million in brownfields funding to clean and redevelop contaminated properties. Addressing brownfields can result in job creation and improved economic conditions, and it is hoped that this program will be a big step forward towards doing that throughout Stark County.

Kresge Block



Onesto Hotel

Hercules Engine



Stark County's FY 2015 HOME Funding

The Stark County Regional Planning Commission is under contract to the Board of Stark County Commissioners to administer the Stark County HOME program. Stark County receives this federal funding as a direct entitlement grant from the US Department of Housing and Urban Development (HUD). Last year, the County received \$691,177 in HOME funding and is expecting to receive approximately this same amount, or possibly a slight reduction in FY 2015 funding. This funding will be available for use between July 1, 2015 and June 30, 2016.

Stark County participates in the HOME program as a consortium with both of the cities of Massillon and Alliance, thus a portion of Stark County's HOME funding will be provided to each. The cities will receive 18.35% and 20.25%, respectively, of the HOME allocation for use in their jurisdictions.

HOME eligible activities are housing-related projects that benefit low-and moderate-income persons/households. Community Housing Development Organizations (CHDO) are encouraged to apply. The Consortium plans to allocate approximately \$93,300 of HOME funding to such activities.

In August of 2013, new regulations went into effect to amend the HOME Investment Partnership (HOME) Program. These amendments to the HOME regulations represent the most significant change to the program since its development back in the early 1990s. As such, potential applicants are highly encouraged to become familiar with this "HOME Final Rule" document and the changes it made to the HOME program.

A HOME "Request for Proposal" workshop will be held on November 19th, with applications for this upcoming HOME program being due by Friday, January 9th at Noon. After the applications are received, they will be reviewed. A decision in regard to the 2015 program is expected to be presented to the public by mid-March, with a public hearing to take place in early April presenting the proposed program to the Board of Stark County Commissioners. For questions about the HOME program, please contact Lynn Carlone, Community Development Administrator at 330-451-7774.

Stark County CDBG Department Accepting Applications

The Stark County Community Development Block Grant (CDBG) department is currently accepting applications for the next three year CDBG funding cycle, FY 2015-2017. Funding will be available from July 1, 2015 until June 30, 2018. On August 20th, the Stark County CDBG staff held a workshop for potential applicants. Numerous municipalities and non-profit agencies & organizations attended. The agenda for the workshop included an explanation of

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the FY 2015-2017 application form, its accompanying instructions and guidelines, discussion of eligibility requirements, selection of the five-member application review committee, and sample projects. Though attendance at the workshop was not required, additional ranking points will be awarded to all applicants that attended. Persons who did not attend the workshop are still encouraged to submit applications. After this period is completed, submissions will not be accepted again until the fall of 2017. So if your community or organization is interested in receiving Stark County CDBG funding during the next three years, now is the time to plan for and submit an application for funding! Persons interested in obtaining a packet should obtain it from the Stark County RPC website at www.rpc.starkcountyohio.gov or contact Lynn Carlone, Community Development Administrator at 330-451-7774. Stark County CDBG applications are due by Wednesday, November 5th at Noon at the RPC offices.

Stark County Land Reutilization Corporation (SCLRC) Side Lot Program

In May of 2014, the Stark County Regional Planning Commission began administering the “Side Lot Program” on behalf of the Stark County Land Reutilization Corporation (SCLRC). This is a program through which vacant, unimproved property is eligible to be purchased and transferred to qualified applicants. This program is an effort to bring non-productive property, throughout the County, back into a productive use. Eligible lots must be vacant, tax delinquent, and located within Stark County. To be qualified for a side lot acquisition, applicants must meet the following criteria: (1) must own property physically contiguous to requested lot, (2) must be current on all property taxes, and (3) must not have any code violations, liens, assessments, etc. against any property that they own within Stark County. The application process takes approximately one year to complete and the current cost to a qualified applicant, per lot, is \$137.

To date, the SCLRC has received 656 Side Lot applications across 20 political jurisdictions in Stark County. Of those received applications: 204 applications have been denied due to ineligibility, 13 applications have been canceled, 172 applications are pending approval by the community in which the property is located, and 267 applications have been approved for transfer. Currently, 207 of the 267 approved applications are going through the process to be acquired by the SCLRC and 31 properties are being prepared for transfer to an approved applicant. To date, the SCLRC has transferred 29 lots through the Side Lot Program at an average overall cost per lot of \$1,283.

If interested in obtaining a side lot application, please go to: <http://www.starkcountyohio.gov/treasurer/resources/stark-county-land-reutilization-corporation-sclrc>- For questions about the program itself, call Sarah Peters at 330-451-7387.

Conservation Subdivisions

As development costs are skyrocketing and issues like water quality, NPDES, and protection of sensitive areas are coming to the forefront, design engineers and developers are looking for cost-effective solutions. Conservation subdivisions may be an alternative that yields that same number of lots within the development while protecting floodplains, wetlands, and riparian buffers; reducing impervious surfaces; minimizing stormwater runoff; and effectively treating what stormwater is generated within the development in the open spaces created.



A conservation subdivision is “an alternative form of residential development where, instead of subdividing an entire tract into lots of conventional size, a similar number of housing units are arranged on lots of reduced dimensions, with the remaining area of the parcel permanently protected as designated open space.” This land usually exists as floodplains, wetlands, riparian buffers, or areas that are otherwise unsuited for development.

Obviously, impacts on the environment, especially on water resources, are drastically reduced by minimizing land disturbance and reducing the amount of impervious surface. The open space can also serve as a filtering and infiltration area for the subdivision's stormwater runoff, not to mention a buffer for nearby ponds, wetlands, and similar water bodies.

Efficient stormwater management techniques are intended to reduce the damaging impacts of stormwater runoff on water quality, on flooding, and on sensitive ecosystems impacted by all of that water. Polluted runoff is the single leading source of stream impairment within the United States.

When developing conservation subdivisions:

- Minimize clearing, grading, and compaction
- Protect sensitive features
- Preserve woodlands and meadows
- Protect and maintain streams and wetlands
- Have less impervious cover per unit
- Reduce street width and length
- Manage runoff at its source

Preserved open spaces within conservation subdivisions can make subdivisions more enjoyable and sustainable places to live and recreate. They not only preserve land and enhance aesthetics within the community but also provide for more efficient stormwater management, often dramatically driving down the cost of stormwater infrastructure installation and maintenance. At the same time, these conserved open spaces and their natural ecosystems provide a huge return in flood control, increased water quality, enhanced groundwater recharge, promotion of nutrient cycling, and erosion control.

Annual CleanUp

The 13th annual Nimishillen Creek LEAP (Litter, Elimination, Awareness, and Prevention) CleanUp was held September 20, 2014 at the William McKinley Presidential Library and Museum. More than 70 volunteers participated this year and collected 1 1/2 tons of trash. A free lunch was provided for all of the volunteers.

This year's Creek LEAP organizers and supporters were the City of Canton, Stark Parks, William McKinley Presidential Library and Museum, Kent State University at Stark, Stark State College, Stark County Regional Planning Commission, Marathon Petroleum, the Northeast Ohio Four County Regional Planning and Development Organization (NEFCO).

Traffic Counting Program

One of the many functions performed by Stark County Area Transportation Study (SCATS) is conducting an ongoing traffic counting program. This program provides directional classification traffic volume counts for all of the U.S., State and County routes within the county as well as most of the major township routes. Also covered are most of the major streets of the six Stark County cities. The data collected from this program provides a valuable asset in the overall planning process for transportation improvement projects throughout the county.

The counting program currently consists of 1665 count stations or locations located throughout the county. SCATS staff generally completes about 500 of these station counts during a typical counting season which usually runs from late April through mid-November each year.

Traffic count data for most of the major roadways in Stark County is now available online. Interested persons can access this data by visiting the Stark County Regional Planning Commission's website at www.rpc.starkcountyohio.gov and clicking on the Transportation page, then simply follow the directions under the heading – "I Need a Traffic Count."

The traffic count database is hosted by Midwestern Software Solutions located in Ann Arbor, Michigan. Their site is user friendly and the Transportation page also has a link for "HELP Using Our Database". The HELP link is a brief tutorial on how to use the site. If additional help using the site is needed, contact Rick Keyes or Dan Slicker at 330-451-7389.



Stark County Regional Planning Commission
201- 3rd St. N.E.
Canton, Ohio 44702

Upcoming Events

October

6	Subdivision Review	1:30 PM
7	SCRPC	7:30 PM
27	SCATS	1:30 PM

November

3	Subdivision Review	1:30 PM
4	SCRPC	7:30 PM
24	SCATS	1:30 PM

December

8	Subdivision Review	1:30 PM
9	SCRPC	7:30 PM

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